

LUMPKIN COUNTY BOARD OF COMMISSIONERS

AGENDA

**Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
March 15, 2007
7:00 P.M.**

I. CALL TO ORDER

Chairman Gooch

II. INVOCATION

III. PRESENTATION

- Master Gardener Proclamation

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

- February 08, 2007 Work Session 9:00 a.m.
- February 15, 2007 Special Called Meeting 12:00 p.m.
- February 15, 2007 Regular Meeting 7:00 p.m.
- February 21, 2007 Special Called Meeting 5:00 p.m.
- February 21, 2007 Special Called Meeting 6:30 p.m.
- February 26, 2007 Special Called Meeting 9:00 a.m.
- March 01, 2007 Work Session 9:00 a.m.
- March 07, 2007 Special Called Meeting 4:00 p.m.

VI. REPORTS

- Department reports are on file in the Board of Commissioners Office
- Elected Officials

VII. RESOLUTIONS

- 2007-13 Road Abandonment Barrett Circle
- 2007-14 Budget 2006 – Amendment 3
- 2007-15 Budget 2007 – Amendment 2
- 2007-16 Surplus Property
- 2007-17 CDBG Health Department
- 2007-18 Dawson/Lumpkin County Line Survey Study
- 2007-19 Appointments Hospital Authority of Lumpkin County
- 2007-20 Appointment Lumpkin County Veterans' Affairs Advisory Committee
- 2007-21 Appointment Lumpkin County Department of Family and Children's Services
- 2007-22 Appointments Lumpkin County Water & Sewerage Authority

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VIII. CONTRACTS

- University of Georgia – Extension Office MOU Renewal
- Twelve & Associates, LLC – Fire Alarm Maintenance Lumpkin County Sheriff's Department
- ABL Management, Inc. - Extend 2006 Agreement for Provision of Meals for the Lumpkin County Detention Center
- Lumpkin County Health Department/ Lumpkin County Memorandum of Understanding
- CJCC – Grant Application
- Palatine Technology Group – Annual Support/Licensing-EWI Server Magistrate Court

IX. OTHER ITEMS

- Lumpkin County Judicial Center – King Evans, Clough Harbour & Associates, LLP
 - Recommendation - Engineering & Architect
 - Recommendation - Site
- Exception to Appeal Process

X. COMMENTS

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONERS
- COUNTY ATTORNEY
- PUBLIC

XI. ANNOUNCEMENTS

- Future Meetings:
 - Work Session – City Hall Apr. 05, 2007 at 9:00 a.m.
 - Board Meeting – City Hall Apr. 19, 2007 at 7:00 p.m.
 - Work Session – City Hall May 03, 2007 at 9:00 a.m.
 - Board Meeting – City Hall May 19, 2007 at 7:00 p.m.

XII. ADJOURN

Chairman Gooch

MINUTES OF THE REGULAR MONTHLY MEETING OF THE LUMPKIN COUNTY BOARD OF COMMISSIONERS

March 15, 2007

CALL TO ORDER

Chairman Gooch called the meeting to order at 7:01 p.m. in the council chamber of Dahlonega City Hall. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers and Clarence Grindle.

INVOCATION

Commissioner John Raber led the Invocation and Pledge of Allegiance.

PRESENTATION

Master Gardener Proclamation

Chairman Gooch read this proclamation that declares March 17, 2007 as "Master Gardeners Appreciation Day" in Lumpkin County and urges all the County's citizens to join in recognizing the Master Gardeners' invaluable contributions to Lumpkin County. Chairman Gooch and Extension Agent Greg Shepherd presented a copy of the presentation to the several Master Gardeners who were present at the meeting.

Motion: Commissioner Raber moved for acceptance of this proclamation, which was seconded by Clarence Stowers. All district commissioners voted in support. Motion carried.

APPROVAL OF AGENDA

Motion: Commissioner Hutcheson made a motion to accept the agenda as presented. John Raber seconded the motion. Commissioners Raber, Hutcheson, Stowers and Grindle voted approval. Motion carried.

APPROVAL OF MINUTES

February 08, 2007 Work Session 9:00 a.m.
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March 01, 2007 Work Session 9:00 a.m.
March 07, 2007 Special Called Meeting 4:00 p.m.

Commissioner Stowers pointed out an error in the March 1, 2007 minutes that needs to be corrected.

Motion: Commissioner Stowers moved to approve the minutes, which was seconded by John Raber. All district commissioners voted to accept. Motion carried.

REPORTS

Department reports are on file in the Board of Commissioners Office
Elected Officials – No elected officials wished to make a report.

RESOLUTIONS

2007-13 Road Abandonment Barrett Circle

The governing authority of Lumpkin County has determined that Barrett Circle, former known as Barrett Road, has ceased to be used by the public to the extent that no substantial public purpose is served by said roadway.

Motion: Commissioner Stowers made a motion in support of this resolution. The motion was seconded by Deborah Hutcheson and approved by Commissioners Hutcheson, Stowers and Grindle. John Raber was opposed to the motion. Motion carried.

2007-14 Budget 2006 – Amendment 3

This resolution makes budget year adjustments and transfers of existing funds among departments in the 2006 budget.

Motion: Commissioner Stowers moved to accept this amendment, which was seconded by John Raber. All district commissioners voted to accept. Motion carried.

2007-15 Budget 2007 – Amendment 2

This resolution makes adjustments to the 2007 budget.

Motion: Commissioner Hutcheson made a motion to approve. Clarence Stowers seconded the motion and all district commissioners voted to approve. Motion carried.

2007-16 Surplus Property

This resolution provides for identification and classification of certain Lumpkin County chattel property from the Senior Center, Old Jail, and Public Works as surplus property and authorizes its sale and disposition.

Motion: Commissioner Grindle moved to approve this resolution, which was seconded by Clarence Stowers. Commissioners Raber, Hutcheson, Stowers and Grindle voted for the motion. Motion carried.

2007-17 CDBG Health Department

This resolution approves an application for a Community Development Block Grant for constructing a Health Department Facility.

Prior to the vote Commissioner Hutcheson stated that she serves as a member of the Lumpkin County Board of Health.

Motion: Commissioner Hutcheson made a motion to approve this item, which was seconded by Clarence Stowers. All commissioners voted in favor. Motion carried.

2007-18 Dawson/Lumpkin County Line Survey Study

This resolution approves the proposed Dawson-Lumpkin County line segment survey dated February 7, 2007, and prepared for the Dawson and Lumpkin County Board of Commissioners by Moreland Altobelli Associated, Inc. pursuant to the Lumpkin County Grant Jury Finding.

There are approximately twenty (20) property owners who will be affected by acknowledgement of this line according to the County Attorney. The County Manager said he had been given an estimate that this will bring about \$50,000.00 additional tax revenues to Lumpkin County each year.

Motion: Commissioner Hutcheson moved to approve signing of this resolution. Clarence Stowers seconded the motion. All district commissioners voted in favor. Motion carried.

2007-19 Appointments Hospital Authority of Lumpkin County

This resolution provides for reappointment of Debbie Bodney and Marina Barron and appointment of Norm Stimers to the Hospital Authority.

Motion: Commissioner Raber made a motion to accept these appointments. Clarence Stowers seconded the motion and all district commissions approved. Motion carried.

2007-20 Appointments Lumpkin County Veterans' Affairs Advisory Committee

This resolution reappoints Paul Hanson and Johnny Cullars to the Veterans' Affairs Advisory Committee.

Motion: Commissioner Grindle moved to accept this resolution, which was seconded by Deborah Hutcheson. Commissioners Raber, Hutcheson, Stowers and Grindle agreed. Motion carried.

2007-21 Appointment Lumpkin County Department of Family and Children's Services

This resolution appoints Edith Higgins to the DFACS board.

Motion: Commissioner Stowers made a motion to approve. The motion was seconded by Clarence Grindle and approved by all district commissioners. Motion carried.

2007-22 Appointments Lumpkin County Water & Sewerage Authority

This resolution appoints Charles Trammell and Glenn Melvin to the Water & Sewerage Authority.

Chairman Gooch said to delete Glen Melvin from this resolution as Mr. Melvin has asked that his name be removed from consideration.

Motion: Commissioner Stowers made a motion in favor of the revised resolution. Deborah Hutcheson seconded the motion. Commissioners Hutcheson, Stowers and Grindle voted in favor of the resolution. John Raber voted against the resolution. Motion carried.

Commissioner Raber said he is opposed to Charles Trammell being on this board as he is already on other boards. He stated his opinion that Charles Trammell is close to Chairman Gooch. Commissioner Hutcheson said she thinks Charles Trammell's knowledge is beneficial.

CONTRACTS

University of Georgia – Extension Office MOU Renewal

This is the yearly renewal of a memorandum of understanding between UGA and the Board of Commissioners regarding the operation of the Extension education program in agriculture, natural resources and environmental management, family and consumer science, 4-H/youth work and subjects related thereto in Lumpkin County.

Twelve & Associates, LLC – Fire Alarm Maintenance Lumpkin County Sheriff's Department

This contract is for a preventive maintenance test and inspection agreement (PMA) for the fire alarm system located in the Office of the Sheriff.

Amount: \$2,922.00

Term: One year

ABL Management, Inc. - Extend 2006 Agreement for Provision of Meals for the Lumpkin County Detention Center

This is an agreement and current annual renewal for food service management at the Detention Center in an amount determined by inmate population.

Amount:	Inmates	Price per Meal
	0-60	Negotiate
	61-80	\$1.943
	81-100	\$1.529
	101-120	\$1.276
	121 & up	\$1.053

Term: One year

Lumpkin County Health Department/ Lumpkin County Memorandum of Understanding

The purpose of this Memorandum of Understanding is to guide and direct the parties respecting their affiliation and working relationship to provide high quality health services to the residents of Lumpkin County.

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CJCC – Grant Application

This is a law enforcement subgrant award under the Violence Against Women Act (VAWA).

Federal Funds: \$33,540.00

Matching Funds: \$11,180.00

Total Funds: \$44,720.00

Grant Period: 01/01/07-12/31/07

Palatine Technology Group – Annual Support/Licensing-EWI Server Magistrate Court

This is an annual software licensing and maintenance agreement for the support and maintenance of Electronic Warrant Interchange Software. Payment has already been made through the Clerk of Court's Office.

Amount: \$2,500.00

Term: One year

Motion: Commissioner Raber moved to approve all contracts on a consent basis. This motion was seconded by Clarence Stowers and approved by all commissioners. Motion carried.

OTHER ITEMS

Lumpkin County Judicial Center – King Evans, Clough Harbour & Associates, LLP

Recommendation - Engineering & Architect

King Evans gave a report on the status of the proposed Judicial Center and presented the following proposal.

CHA Proposal No.: X17159 P-3

Schedule

CHA has prepared the following schedule for this project:

<u>Phase</u>	<u>Expected Completion Date</u>
Item A: Programming Verification	March 30, 2007
Item B-F: Bid Phase	December 31, 2007
Item G: Construction Phase	December 31, 2008

Fee

Based upon the above-mentioned scope of services, Clough Harbour & Associates proposes to be compensated as follows:

Programming through Construction Phase (Scope of Service Items A – G):

All design fees for these scope items are proposed on a Lump Sum basis including out-of-pocket expenses with the exception of reproduction costs for submission and bidding requirements.

Clough Harbour & Associates LLP:

Project Management, Engineering Design (Civil, Structural, Mechanical, Plumbing, Electrical, Fire Protection, Security), Bidding, and Construction Administration

Amount: \$560,000.00

Gardner, Spencer, Smith, Tench, & Hensley:

Architectural Design Services

Amount: \$400,000.00

Total Design & Construction Administration Services:

Not to Exceed \$960,000.00

(Excluding reproduction cost and any Additional Services)

Motion: Based on the unanimous approval of the selection committee Commissioner Stowers made a motion to approve the CHA proposal to allow the Chairman to sign the contract for architectural and engineering services on the judicial center. This motion was seconded by John Raber and approved by all commissioners. Motion carried.

Recommendation – Site

Because many in the audience attended the board meeting because of the site selection issue the board allowed Public Comments on the matter. A number of citizens spoke with passion about their opposition to moving the ball fields and gave background on how the ball fields came to be in their current location. These citizens included former Sole Commissioner J. B. Jones, Douglas Cook, Brad Tyson, Pat Crow, Ralph Jones, Herbert Adams, Charles Lemley, Kenneth Beasley, and Sue Armstrong.

Commissioner Raber said he thinks the board needs to take a second look around the County to see if any other suitable site can be located. Commissioner Stowers spoke about his years of playing ball for Ott Anderson. He said that he sees moving the ball fields as being an improvement for the children of Lumpkin County. He considers Yahoola Reservoir Park a better area for the children.

Lyndal Caldwell said he is concerned about safety for the children at the current location. He said that the Park & Recreation Board had voted on behalf of moving the ball fields so long as they were provided three ball fields to replace them.

***Motion:** Based on approval of the selection committee with Judge Chastain recusing himself Commissioner Stowers moved to approve the Riley Road Ball Field and Pool site for the judicial center. Deborah Hutcheson seconded this motion. District Commissioners Hutcheson, Stowers and Grindle approved the motion. Commissioner Raber was opposed. Motion carried.*

Exception to Appeal Process

The decision before the board is whether to grant a hearing to the Etowah Shoals opposition to an appeal of a variance that was granted by the Planning Commission. The opposition is asking the board to overturn the Planning Commission decision to allow Lot #16 to be subdivided. A number of citizens including Marilyn Smiley, Judi MacIntyre, Bob Allen, and Alice McDonald who reside on Laurel Circle in Etowah Shoals Subdivision spoke concerning this issue. They are opposed to approval for lots within the subdivision to be further divided and are unhappy about the manner in which the variance was granted.

Planning Director Larry Reiter said that he had incorrectly told a citizen that they had thirty (30) days to appeal the Planning Commission decision only to discover that it was ten (10) days. He said that he then allowed them 30 days to appeal due to his error but had never received the required letter requesting an appeal. Warren Welch said that he is the buyer of Lot #16 which is scheduled to close on Monday, March 19 and that neither he nor the present owner has been contacted about this matter.

The County Attorney said that absent covenants and some specific requirement that a lot cannot be changed that the County's subdivision regulations do not prohibit it. Because a citizen had expressed opposition to a newspaper ad that was run concerning the actual address of Lot #16 Commissioner Hutcheson asked the County Attorney if the address issue is of such concern that the board should allow an appeal. The County Attorney said the address issue as stated is not sufficient.

Commissioner Hutcheson said that her concern is that if the board hears this appeal that any objections to a Planning Commission decision on the part of anyone will be brought before the board in the future.

***Motion:** Commissioner Raber moved to have an appeal hearing. Deborah Hutcheson seconded this motion. Commissioners Raber and Hutcheson voted in favor of the motion while Commissioners Stowers and Grindle voted against. Breaking the tie Chairman Gooch voted against the motion. Motion failed.*

Chairman Gooch said he thinks it would be beneficial in newspaper ads to list all roads that a property touches so that this will be clear in the future. The County Manager will look into the appeal process matter to correct some of the problems that arose with Etowah Shoals. The Chairman said he would like to see this addressed as quickly as possible.

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Citizen Emily Lewy pointed out that the way regulations are now that a developer can go into an existing subdivision and not comply with the same regulations required of developers creating new subdivisions.

COMMENTS

COUNTY MANAGER

Tempered Air gave a report on the progress at Fire Station #4. The slab is poured and they need some money. The steel will start to go up tomorrow. Commissioner Hutcheson thanked them again for being here and for their patience tonight as they waited their turn to speak.

The County Manager said he would be meeting officials in Dawson County tomorrow regarding the county line. He also reported that the Grand Opening of the Timken Pavilion at Yahoola Creek Park would take place at 9:00 a.m. Saturday, March 17.

CHAIRMAN

The Chairman's only comment is that he is glad that the night is almost over.

COMMISSIONERS

The commissioners had no comments.

COUNTY ATTORNEY

The County Attorney had no comments.

PUBLIC

William Gilstrap said that you don't often hear praise for the board but he wanted to thank them.

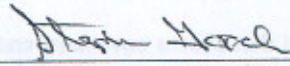
ADJOURN

At 9:59 p.m. the Chairman called for motion to adjourn.

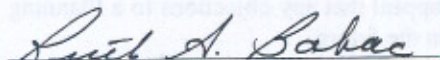
Motion: Commissioner Raber moved to adjourn. Deborah Hutcheson seconded this motion, which was approved by all district commissioners. Motion carried.

4-19-2007

Date


Stephen W. Gooch, Chairman
Lumpkin County Board of Commissioners

Attest:


Ruth A. Bohac
Clerk, Lumpkin County